

IFW

PATENT
Atty. Dkt. WHIT/0002.A



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Carl E. Whitcomb

Serial No.: 10/770,352

Filed: February 2, 2004

For: Plant Container and Sidewall
Providing Improved
Management of Irrigation
And Aeration

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

§ Group Art Unit: 3643

Examiner:

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U. S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on this date below:

5-18-04

Solanda Charles
Signature

Date

INFORMATION DISCLOSURE STATEMENT

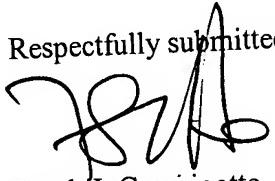
Pursuant to the duty of candor and good faith set forth in 37 C.F.R. § 1.56, the Applicant hereby discloses on behalf of individuals associated with the filing and prosecution of the present patent application information that might be material to patentability. This disclosure is presented via the enclosed Form PTO-1449.

This disclosure is not intended to constitute an admission that any information is "prior art" with respect to the presently claimed invention.

Copies of the patents and publications cited among the disclosed information are enclosed herewith, with the exception of U.S. Patents & U.S. Patent Applications the requirement for copies of which has been waived by the Office Notice of July 11, 2003 (*if the present patent application was filed after June 30, 2003*).

In the event a fee is required in connection with the enclosed Information Disclosure Statement, the Commissioner of Patents and Trademarks is authorized to charge Deposit Account No. 50-0714/WHIT/0002.A for the necessary amount.

Respectfully submitted,



Frank J. Campigotto
Registration No. 48,130
STREETS & STEELE
13831 Northwest Freeway, Suite 355
Houston, Texas 77040
(713) 939-9444
Attorney for Applicant

Customer No. 24945

U.S. Department of Commerce, Patent and Trademark Office		Docket No.	Serial No.
		WHIT/0002.A	10/770,352
LIST OF RELEVANT ART CITED BY APPLICANT (Use several sheets if necessary)		Applicant	
		Carl E. Whitcomb	
		Filing Date	Group
		February 2, 2004	3643



U.S. Patent Documents

*Examiner Initial		Document Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
	A	5,181,952	Jan. 26, 1993	Burton, et al.			
	B	4,884,367	Dec. 5, 1989	Peter A. Lawton			
	C	5,575,112	Nov. 19, 1996	Gerard Scheubel			
	D	5,544,447	Aug. 13, 1996	Easey, et al.			
	E	4,442,628	Apr. 17, 1984	Carl E. Whitcomb			
	F	4,510,712	Apr. 16, 1985	Carl E. Whitcomb			
	G	4,753,037	Jun. 28, 1988	Carl E. Whitcomb			
	H	4,939,865	Jul. 10, 1990	Carl E. Whitcomb, et al.			
	I	5,557,886	Sep. 24, 1996	Carl E. Whitcomb			
	J	5,131,185	Jul. 21, 1992	Aart V. Wingerden			
	K	5,099,607	Mar. 31, 1992	Peter A. Lawton			
	L	5,241,784	Sep. 7, 1993	Elona I. Henry			
	M	4,497,132	Feb. 5, 1985	Carl E. Whitcomb			
	O	5,768,825	Jun. 23, 1998	Ralph E. Reiger			

Foreign Patent Documents

Translation

		Document Number	Date	Country	Class	Subclass	Yes	No
	P	GB2129664A	May 23, 1984	United Kingdom				
	Q	JP2001352843	Dec. 25, 2001	Japan				
	R	FR2755950A1	May 22, 1998	France				

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

S	"Superoots fielder™, root enhancement system; The Caledonian Tree Company. www.rootcontrol.com
---	---

Examiner	Date Considered
----------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.

U.S. Department of Commerce, Patent and Trademark Office	Docket No.	Serial No.
	WHIT/0002.A	10/770,352
LIST OF RELEVANT ART CITED BY APPLICANT	Applicant	
(Use several sheets if necessary)	Carl E. Whitcomb	
	Filing Date	Group
	February 2, 2004	3643

U.S. Patent Documents

*Examiner Initial		Document Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
T		4,508,776	Apr. 2, 1985	Smith			
U		4,829,707	May 16, 1989	Koffler			
V		5,205,432	Apr. 27, 1993	Gullan			
W		5,533,301	Jul. 9, 1996	Weder et al			
X		5,636,502	Jun. 19, 1997	Weder et al			
Y		5,983,566	Nov. 16, 1999	Enderlein et al			
Z		6,108,974	Aug. 29, 2000	Herzog-Mesrobian et al			
A1		6,142,299	Nov. 7, 2000	Weder et al			
B1		6,161,332	Dec. 19, 2000	Avôt			
C1		2,209, 778	July 30, 1940	J. Krasowski			
D1		3,052,063	Sept. 4, 1962	Rose-Marie Dunn			

Foreign Patent Documents

Translation

		Document Number	Date	Country	Class	Subclass	Yes	No

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	E1	superoots™ root enhancement system; superoots products; The Caledonian Tree Co.; Cowbraehill Tynehead Pathhead Midlothian; EH37 5 XT; Scotland UK; 5 pgs. regarding superoots fielder™; www.superoots.com.
	F1	McGraw-Hill Dictionary of Scientific and Technical Terms Sixth Edition, page 423 and page 1636; Copyright © 2003, 1994, 1989, 1978, 1976, 1974 by McGraw-Hill Companies, Inc.

Examiner _____ Date Considered _____

U.S. Department of Commerce, Patent and Trademark Office		Docket No.	Serial No.
		WHIT/0002.A	10/770,352
LIST OF RELEVANT ART CITED BY APPLICANT		Applicant	
(Use several sheets if necessary)		Carl E. Whitcomb	
		Filing Date	Group
		February 2, 2004	3643

U.S. Patent Documents

*Examiner Initial		Document Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
	G1	4,646,467	Mar. 3, 1987	John P. Morrisroe			
	H1	4,920,692	May 1, 1990	Kitamura et al			
	I1	560,966	May 26, 1896	Brown			
	J1	3,798,837	Mar. 26, 1974	Oehmke et al			
	K1	2,626,483	Jan. 27, 1953	R J Service			
	L1	5,262,233	Nov. 16, 1993	Sudo et al			
	M1	4,818,585	Apr. 4, 1989	Shipp, Jr			
	N1	4,250,661	Feb. 17, 1981	Kodera et al			
	O1	5,402,600	Apr. 4, 1995	Tompkins			
	P1	2002/0038526	Apr. 4, 2002	Garrofe Morrerres			
	Q1	5,937,577	Aug. 17, 1999	Butler et al			
	R1	6,612,072 B2	Sep. 2, 2003	Busby et al			

Foreign Patent Documents

Translation

		Document Number	Date	Country	Class	Subclass	Yes	No

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

S1	Carl E. Whitcomb, Ph.D., "Plant Production in Containers II, pgs 486-489

Examiner _____ Date Considered _____

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.
Include copy of this form with your communication to applicant.

U.S. Department of Commerce, Patent and Trademark Office	Docket No.	Serial No.
	WHIT/0002.A	10/770,352
LIST OF RELEVANT ART CITED BY APPLICANT (Use several sheets if necessary)	Applicant Carl E. Whitcomb	
	Filing Date	Group
	February 2, 2004	3643

U.S. Patent Documents

Foreign Patent Documents

Translation

		Document Number	Date	Country	Class	Subclass	Yes	No
	Z1	GB2,073,567A	10/1981	United Kingdom				
	A2	EP300,578 A3	01/1989	European				
	B2	JP 406189635	07/1994	Japan				
	C2	SE 141561 A	08/1953	Sweden				
	D2	JP 406269228 A	09/1994	Japan				

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	E2	www.psrc.usm.edu/macrog/pp.htm ; "Polpropylene"; 3 pgs

Examiner _____ **Date Considered** _____

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.